

## QUESTION NO. 5

### Amendment to the Nevada Constitution

Senate Joint Resolution No. 3 of the 68th Session

#### CONDENSATION (ballot question)

Shall the Nevada Constitution be amended to limit the length of Nevada's regular legislative sessions to not more than 120 calendar days and require the Governor to submit the proposed executive budget to the Legislature at least 14 days before the start of each regular session?

Yes ..... ☐  
No ..... ☐

#### EXPLANATION

Before 1960, regular legislative sessions in Nevada were conducted in odd-numbered years (biennial) and were limited by the Nevada Constitution to no more than 60 calendar days. However, from 1909 through 1959, the Legislature required additional time each session to complete its business. Typically, the "clock was covered" on the 60th day so that the session could be extended a few extra days.

As the result of constitutional amendments in 1958 and 1960, the Legislature continues to meet in regular session in odd-numbered years, but there currently is no limit on the length of a session. Members of the Legislature are paid a salary only for the first 60 days of session, regardless of its length. The last five regular sessions all exceeded 160 calendar days: 1989, 167 days; 1991, 161 days; 1993, 166 days; 1995, 169 days; and 1997, 169 days.

This proposed amendment to the Nevada Constitution would limit future regular sessions to not more than 120 calendar days, starting with the 1999 session. Under this proposal, regular sessions remain biennial, but would start on the first Monday of February of each odd-numbered year instead of on the third Monday of January. Legislators would continue to receive salary for only the first 60 days of session.

Additionally, the proposal would specifically make void any legislative action taken after midnight Pacific standard time on the 120th calendar day. Finally, the proposal requires the Governor to submit the proposed executive budget to the Legislature at least 14 calendar days before the start of each regular session. Under current practice, the budget is not received by the Legislature until after the start of the session.

#### ARGUMENTS FOR PASSAGE

The proposed amendment to the Nevada Constitution would require the Legislature to operate more efficiently and enact necessary legislation in a timely manner. In addition, by limiting future regular sessions to no more than 120 calendar days, the proposal would save the taxpayers several million dollars each session. Limited sessions would compel the Legislature to streamline its procedures. For example, the power of committee chairmen to hold legislation for processing until the end of the session may be restricted by rules requiring that bills be heard and acted upon within a certain time frame. Finally, by requiring the executive budget to be submitted before the start of session, the

proposal will allow the Legislature to begin its work on the budget earlier.

Most other states conduct legislative sessions that are limited in length. Of the six other states that conduct biennial sessions (like Nevada), four are limited to sessions that are less than the proposed 120 days. A majority of the state legislatures that meet in annual, limited session also conduct their business in less than 120 days.

Because the proposed amendment will place the limitation on the length of session in the Nevada Constitution, the Legislature will not be able to alter the 120-day limit without voter approval of another constitutional amendment.

**A "Yes" vote would limit the length of Nevada's regular legislative sessions to not more than 120 calendar days and require the Governor to submit the proposed executive budget to the Legislature at least 14 days before the start of each regular session.**

## **ARGUMENTS AGAINST PASSAGE**

Nevada has been the fastest growing state in the nation for many years. The complexity of issues facing a rapidly growing state requires the Legislature to take whatever time is required to accomplish its business. Further, nothing prevents the Legislature from revising its procedures and adjourning within 120 days.

If the Legislature is not able to complete its business within the specified 120 days, the Governor may be required to call a special session of the Legislature at a substantial cost to the taxpayers. A limited session also may decrease the amount of public participation as bills are processed more rapidly and citizens may not receive sufficient notice to attend hearings. Finally, the people of the state should not force the Legislature to conduct its business in a hurried manner or leave important matters unfinished for lack of time.

**A "No" vote would retain the existing system under which there is no limit on the length of a regular legislative session, and the Nevada Constitution would not require the Governor to submit the proposed executive budget prior to the start of session.**

## **FISCAL NOTE**

**Financial Impact - No.** The proposal to amend the Nevada Constitution would limit the length of Nevada's regular legislative sessions to not more than 120 calendar days. Approval of this proposal would have no adverse fiscal effect.